

IN THE UNITED STATES BANKRUPTC COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS – EASTERN DIVISION

In re:	)	Chapter 7
	)	
John A. Popadiuk	)	Case No. 19-33336
	)	
Debtor.	)	
<hr/>		
Kim Mitchell, Rommy Henley,	)	
Raphael Zilch, Edward Storozuk,	)	
Brian Sherman and Joe Newhart,	)	Honorable Carol A. Doyle
	)	
Plaintiffs	)	
	)	
v.	)	Case No. 20-00024
	)	
John A. Popadiuk, indv. and d/b/a	)	
Zidware, Inc.	)	
	)	
Defendant.	)	

**AMENDED NOTICE OF MOTION**

TO: SEE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that on April 23, 2020 at 10:00 a.m., we will appear before the Honorable Carol A. Doyle, Bankruptcy Judge, in the room usually occupied by her as Courtroom 742 in the United States Bankruptcy Court in the Everett McKinley Dirksen Federal Building, 219 S. Dearborn Street, Chicago, Illinois, or before any other Judge who may be sitting in her place and stead and shall present the **Motion To Extend Time To Answer**, a copy of which is attached hereto and served upon you herewith. A party who objects to this motion and wants it called must file a Notice of Objection no later than two (2) business days before the presentment date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion without a hearing before the date of presentment.

By: /s/Jeffrey C. Dan  
Goldstein & McClintock, LLLP  
111 W. Washington, Suite 1221  
Chicago, IL 60602  
(312) 219-6702

**CERTIFICATE OF SERVICE**

The undersigned, being first duly sworn on oath deposes and states that he caused a copy of the foregoing Notice and attached Motion to be served electronically through the Court's Electronic Registration on all parties listed on the attached Service List, on the 16<sup>th</sup> day of April, 2020.

/s/Jeffrey C. Dan

**SERVICE LIST**

Zane Smith  
Zane D. Smith & Associates, Ltd.  
221 N. LaSalle St., Suite 1320  
Chicago, Illinois 60601  
[Zane@zanesmith.com](mailto:Zane@zanesmith.com)

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Zidware, Inc.	)	
	)	
Defendant.	)	

**MOTION TO EXTEND TIME TO ANSWER**

John A. Popadiuk, Defendant herein, by and through his attorneys, for his Motion to Extend Time to Answer or Otherwise Plead, hereby states as follows:

1. On January 14, 2020, the Plaintiffs, Kim Mitchell, Rommy Henley, Raphael Zilch, Edward Storozuk, Brian Sherman and Joe Newhart, filed their Complaint to Determine Dischargeability of Debt.
2. The Defendant retained counsel who changed firms shortly after being retained by the Defendant.
3. Immediately after changing firms, due to the Covid-19 outbreak, the City of Chicago and State of Illinois issued shelter at home orders.
4. Due to the inability of Defendant's counsel to work from his office and due to other connectivity problems between the Defendant and his counsel, the Defendant was unable to file his Answer to Complaint in a timely manner.

5. On April 14, 2020, the Defendant filed his Answer to Complaint.
6. By this Motion, the Defendant requests an extension through and including April 23, 2020 to file his Answer to Complaint.
7. There is no prejudice to the Plaintiffs by allowing the Defendant an extension of time to file his Answer to Complaint.

WHEREFORE, John A. Popadiuk, Defendant herein, respectfully requests this Court enter an Order granting the Defendant through and including April 23, 2020 to file his Answer to Complaint and for such other and further relief as this Court deems just and appropriate.

Respectfully submitted,

John A. Popadiuk, Defendant,

By: /s/ Jeffrey C. Dan  
One of His Attorneys

**Counsel to Defendant**

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